

In re Application of:  
Gage and Ray  
Application No.: 10/622,206  
Filed: July 18, 2003  
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Attorney Docket No.: REGEN1160-6

**REMARKS**

Claim 52 has been canceled without prejudice or disclaimer. New claims 53-75 have been added. Subsequent to the entry of the present amendment, claims 53-75 are pending and at issue. These amendments and additions add no new matter as the claim language is fully supported by the specification and original claims.

**I. Amendment to the Specification and Claims**

The specification has been amended to conform the Brief Description of the Drawings to the Drawings themselves. Particularly, the sub-figures have been indicated (*i.e.* 1A-1C, etc.). Support for these amendments can be found in the Drawings and in the Brief Description of the Drawings, which label the individual panels of each figure by letter. As such, these amendments add no new matter.

The specification has also been amended to indicate the SEQ ID NOs for nucleotide sequences disclosed in the specification. Support for these amendments can be found, *e.g.*, in the sequence listing.

Claim 52 has been cancelled and new claims 53-75 have been added. Support for the new claims can be found throughout the specification when read in light of the knowledge of the skilled artisan. For example, support for new claim 53 can be found in Examples 6-10 and at pg. 9, ln. 23 to pg. 10, ln. 12; pg. 22, lns. 1-2; pg. 32, Table 2; pg. 46, lns. 4-9. Support for new claim 54 can be found, *e.g.*, at pg. 46, lns. 4-9. Support for new claim 55 can be found, for example, at pg. 47, ln. 5-10. Support for new claim 56 can be found, *e.g.*, in Examples 6-10, at pgs. 38-49. Support for new claim 57 can be found, for example, at pg. 10, lns. 4-5. Support for new claim 58 can be found, for example, at pg. 10, lns. 7-9. Support for new claim 59 can be found, for example, at pg. 45, ln. 7 to pg. 46, ln. 3. Support for new claim 60 can be found, for example, at pg. 39, lns. 7-8. Support for new claim 61 can be found, for example, at pg. 39, lns. 1-10. Support for new claim 62 can be found, for example, at pg. 17, lns. 12-14; pg. 47, lns. 5-8.

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Support for new claim 63 can be found, for example, at pg. 44, lns. 20-29. Support for new claim 64 can be found, for example, at pg. 17, lns. 24-38. Support for new claim 65 can be found, for example, at pg. 18, lns. 1-12; pg. 20, lns. 3-9; pg. 50, lns. 4-14. Support for new claim 66 can be found, for example, at pg. 17, beginning at ln. 19. Support for new claim 67 can be found, for example, at pg. 18, lns. 1-24; pg 19, lns. 10-28. Support for new claim 68 can be found, for example, at pg. 47, lns. 5-10. Support for new claim 69 can be found, for example, at pg. 17, ln. 18 to pg. 18, ln. 23, and in Example 11, pg. 50-51. Support for new claim 70 can be found, for example, at pg. 17, ln. 18 to pg. 18, ln. 23, and in Example 11, pg. 50-51. Support for new claim 71 can be found, for example, for example, at pg. 22, lns. 1-2; pg. 32, Table 2; pg. 47, lns. 5-10. Support for new claim 72 can be found, for example, at pg. 39, lns. 7-8. Support for new claim 73 can be found, for example, at pg. 39, lns. 1-10. Support for new claim 74 can be found, for example, at pg. 17, lns. 12-14; pg. 47, lns. 5-8. Support for new claim 75 can be found, for example, at pg. 17, lns. 12-14; pg. 47, lns. 5-8.

## II. Objections to the disclosure

The disclosure has been objected to because of the following alleged informalities: According to the Examiner, “the Brief Description of the Drawings does not employ the same terminology as the drawings themselves. Further, the SEQ ID NOs need to be amended into the specification.” Office Action at 2.

The Applicants wish to thank the Examiner for his helpful suggestions regarding amendments to overcome the objection.

Applicants submit that the objections to the disclosure are moot in view of the amendments to the specification indicating SEQ ID NOs for sequences disclosed in the specification and conforming the terminology used in Brief Description of the Drawings to the Drawings themselves, as suggested by the Examiner.

Accordingly, withdrawal of the objections to the specification is respectfully requested.

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**III. Double Patenting Rejection under 35 U.S.C. §101**

Claim 52 has been rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of claim 1 of prior U.S. Patent No. 6,599,695. Office Action at 2-3.

Claim 52 has been cancelled. New claims 53-75 have been added. Applicants submit that the double patenting rejection of claim 52 is moot in view of the amendments to the claims. Accordingly, withdrawal of the rejection of claim 53 under 35 U.S.C. §101 is respectfully requested.

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**Conclusion**

In view of the foregoing amendments and remarks, Applicants submit that the claims are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicant's undersigned representative if there are any questions relating to this application.

Check number 582795 in the amount of \$135.00 is enclosed as payment for the extra claim fee (three extra claims; \$75.00) and the one-month Extension of Time fee (\$60.00) for a small entity. No other fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355 referencing the above-identified attorney docket number. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,



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